

## REMARKS

### Introduction:

In accordance with the foregoing, claims 19 and 20 have been amended. Claims 1-18, 22, 23 and 36-44 were previously withdrawn, while claim 21 was previously canceled. No new matter is being presented. Specifically, claim 20 has been amended to correct an antecedent basis error, while support for the amendments to claim 19 can be found at least in FIGS. 5A and 5B, as well as at page 12, lines 1-8 and at page 18, lines 1-13 of the specification as filed.

Therefore, claims 19-20 and 24-35 are pending and reconsideration is respectfully requested.

### Rejections under 35 U.S.C. § 103(a):

On page 2 of the Office Action, claims 19-20 and 24-27 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Hirano, et al. (U.S. Pat. No. 7,277,075, hereinafter “Hirano”) in view of Takayama (U.S. Pat. No. 6,317,157, hereinafter “Takayama”) in view of Miller, et al. (U.S. Pat. Appl. No. 2004/0113875, hereinafter “Miller”) and further in view of Kimura (U.S. Pat. No. 6,475,845, hereinafter “Kimura”). Applicants respectfully traverse for at least the following reasons.

Regarding the rejection of independent claim 19, it is noted that claim 19 has been amended, as discussed with the Examiner via telephone on March 5, 2009, to recite that the white extracting part generates the predetermined value as the white color component only when the minimum value is larger than the predetermined value, which finds support in the specification at page 12, lines 1-8 and at page 18, lines 1-13, as well as in FIGS. 5A and 5B.

Thus, independent claim 19, as amended, recites, *inter alia*:

“...a white extracting part is configured to determine which color data of the gamma-converted RGB data has a minimum value and to compare the minimum value with a predetermined value relative to the maximum gray scale level,

the white extracting part generates the minimum value of the gamma-converted RGB data as the white color component if the minimum value is smaller than the predetermined value, and

the white extracting part generates the predetermined value as the white color component if the minimum value is larger than the predetermined value.”

In view of the amendments, applicants submit that neither cited reference to Hirano, Takayama, Miller and/or Kimura, alone or in any combination thereof, teach or suggest that the white extracting part generates the predetermined value as the white color component if the minimum value is larger than the predetermined value.

Specifically, Hirano allegedly teaches, as stated by the Examiner on page 4 of the Office action, that the white extracting part generates the predetermined value ( $Y_{\max}$ ) as the white color component ( $W_o$ ) if the minimum value ( $Y_{\min}$ ) is equal to the predetermined value ( $Y_{\max}$ ), in that when  $Y_{\min}$  is equal to  $Y_{\max}$ ,  $W_o$  is  $Y_{\max}$ . See, e.g., column FIGS. 1 and 3b, as well as column 5, lines 17-51 and column 6 lines 61-62. Thus, as discussed with the Examiner on March 5, 2009, since the predetermined value of Hirano is the maximum value  $Y_{\max}$ , the minimum value  $Y_{\min}$  can never be greater than the predetermined value  $Y_{\max}$  (only, at best, equal to  $Y_{\max}$ , as discussed above).

In addition, in the present invention, when the minimum value is less than the predetermined value, the white color component value has the minimum value, not the predetermined value, as recited in claim 19 of the instant application. In the apparatus of Hirano, however, when the minimum value is less than the predetermined value, the value of white color component is determined by equation  $W_o = Y_{\min} * Y_{\max} / (Y_{\min} - Y_{\max})$ , which maximizes  $W_o$  but maintains constant ratios for R, G and B luminance values for both input and white-adjusted image data values (see, e.g., column 6, lines 37-55).

Thus, neither Hirano, Takayama, Miller and/or Kimura teach or suggest "...the white extracting part generates the minimum value of the gamma-converted RGB data as the white color component if the minimum value is smaller than the predetermined value, and the white extracting part generates the predetermined value as the white color component if the minimum value is larger than the predetermined value" as disclosed in amended claim 19. Therefore, Applicants respectfully assert that claim 19 is patentably distinguishable over any combination of Hirano, Takayama, Miller and/or Kimura, and the rejection of claim 19 is therefore hereby overcome.

Regarding the rejections of claims 20 and 24-27, it is noted that these claims depend from claim 19 and that, therefore, the rejections of claims 20 and 24-27 are overcome for at least the reasons as set forth above.

In addition, claims 28-35 were rejected on page 12 of the Office Action as being allegedly unpatentable over Hirano in view of Takayama in view of Miller in view of Kimura and further in view of Eida, et al. (U.S. Pat. Appl. No. 2001/0050532, hereinafter "Eida"). However, applicants respectfully assert that, since the additional reference to Eida does not cure the defects of the Hirano, Takayama, Miller and Kimura references, as described above with reference to claim 19, and since claims 28-35 depend from claim 19, the rejections of these claims are overcome for at least the reasons set forth above.

Conclusion:

In accordance with the foregoing, applicants note that the application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested. The Office is invited to contact applicants' attorneys at the below-listed telephone number concerning this Amendment or otherwise regarding the instant application. If there are any charges with respect to this Amendment or otherwise, please charge them to Deposit Account no. 06-1130 maintained by applicants' attorneys.

Respectfully submitted,

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